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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,190	08/31/2000	Timothy M. Wozniak	80760THC	2645

1333 7590 12/17/2003

PATENT LEGAL STAFF  
EASTMAN KODAK COMPANY  
343 STATE STREET  
ROCHESTER, NY 14650-2201

EXAMINER
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TAYLOR, VICTOR J

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/652,190

Applicant(s)

WOZNIAK ET AL.

Examiner

Victor J. Taylor

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-13 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *Office Action*.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because of improper margins and improper lettering with the figures not centered on the drawing page. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Information Disclosure Statement***

2. The instant application does not have an IDS entered in the file wrapper. The examine request the applicant to verify the status of any submitted IDS.

### ***Specification***

3. The disclosure is objected to because of the following informalities:

I. The disclosure is objected to for improper heading and titles and the parts listing on page 12 to 14. Appropriate correction is required.

### ***Prior Art***

4. The prior art of record and not relied upon and is considered pertinent to the applicant as follows:

I. Kinjo US 6,590,671 class 358/1.12 is cited for the print ordering system using the Internet and computers se element 13 in figure 1 in combination with the complete document.

II. Schildkraut et al. EP 1, 137,248 A2 in Class HO4N 1/00 is cited for the computer controlled server and photo finishing process 16 using the Internet communication 14 in figure 1.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) The invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-3, and 8-13 are rejected under 35 U.S.C. 102(a) as being known or used by Matsumoto et al., in EP 0,628,874-A2.

With regard to claim 1, Matsumoto et al., discloses the limitation of the communication network 12, and discloses the retail photo finishing equipment 11e connected with the client computer 14 with a process monitor 13 connected to the computer using client software running on the computer 14 with quality management on the photo finishing equipment 11a with a quality monitoring in the computer 14 with input for quality monitoring by the key board 16 in figure 1 with the customer feed back and quality check printed in the control station 190 in figure 13 in combination with all the processing elements found column 1-20 of the published document.

Claims 2, 3, 8-13 are variously dependent on a rejected base claim. In additional Matsumoto et al., discloses the limitation of a remote service application 180 from the central service 190 in figure 13 and discloses the process monitor 183b is a denisotometer in the mini lab shop equipment in lines 1-55 of column 19, and discloses

the process control in the computer control 13 of figure 13 and discloses the customer feed back in the service 190 of figure 13 and discloses the quality data base in the plurality of computers 188 in figure 13 and discloses quality control in the computer 185 in combination with the entire document, and discloses process control in the computers 190 with customer feed back from the mini labs 182 in figure 13

***Allowable Subject Matter***

7. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in single independent form including the limitations of the dependent claims into all of the limitations of the base claim and any intervening claims. The operator training and testing for a color vision test and the testing module containing test for understanding color, print, grading, chemical management, minilab maintenance, customer delight assertiveness and retailing selling testing software on a readable medium or the employee database data software on a computer readable medium is not found in the cited art.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor J. Taylor whose telephone number is 703-305-4470. The examiner can normally be reached on 8:00 to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4509 for regular communications and 703-308-5841 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3431.

Victor J. Taylor

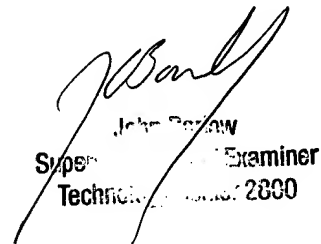
Examiner

Art Unit 2863



10 December 2003.

**VICTOR J. TAYLOR**  
**PATENT EXAMINER**



John R. Taylor  
Superintendent Examiner  
Technology Center 2800